

UNITED STATES DISTRICT COURT

FILED

MAY 18 2022

for the
Northern District of OklahomaMark C. McCartt, Clerk
U.S. DISTRICT COURTCase No. 22-mj-327-SH

In the Matter of the Search of)
 USPS Priority Mail 2-Day parcel measuring)
 approximately 11.25" X 8.75" X 6" identified by tracking)
 number 9505 5143 5013 2131 2821 03 from Zip Code)
 93307, weighing approximately 2 pounds, 3.9 ounces)
 and postmarked May 11, 2022. The parcel's return)
 address is "3501 Eucalyptus Dr Bakersfield, CA 93306")
 and is addressed to "Samuel Perez 116 North Delaware)
 Ave Tulsa, Oklahoma 74110"

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

See Attachment "A"

located in the Northern District of Oklahoma, there is now concealed *(identify the person or describe the property to be seized)*:

See Attachment "B"

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

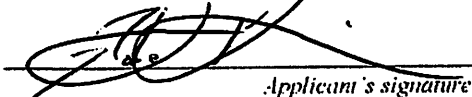
Code Section
 21 U.S.C. § 841(a)(1)

Offense Description
 Possession of Controlled Substance with Intent to Distribute

The application is based on these facts:

See Affidavit of Inspector Robert Firkin, USPIS, attached hereto.

- ☒ Continued on the attached sheet.
☐ Delayed notice of ____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

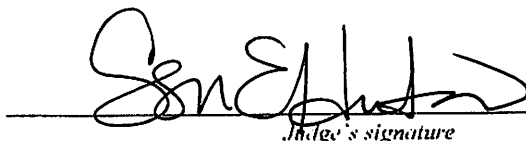


Applicant's signature

Inspector Robert Firkin, USPIS

Printed name and title

Sworn to before me via telephone.

Date: 5/18/22


Judge's signature

City and state: Tulsa, Oklahoma

Susan E. Huntsman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT AND STATEMENT OF PROBABLE CAUSE

I, Robert Firkin, being duly sworn, do hereby depose and state:

Introduction and Agent Background

1. Your Affiant is Robert Firkin, a duly qualified Inspector for the United States Postal Inspection Service (USPIS) who has over 13 years of law enforcement experience having been so employed by the USPIS since August of 2019. Prior to becoming an Inspector for the USPIS, your affiant was a deputy with the Stafford County Sheriff's Office (VA) for five years and a detective for the same for four years. Prior to the Stafford County Sheriff's Office, your affiant was an officer with the University of Georgia Police Department for one and a half years and an officer with the Atlanta Police Department (GA) for two years. Your affiant has received specialized training in the use of the U.S. Mails in narcotics investigations through the USPIS.

2. The information set forth in this Affidavit is known to me by other law enforcement personnel or through my own investigation.

3. This Affidavit is based upon the Affiant's personal investigation and upon information received from other law enforcement officers and agents and may not be inclusive of all evidence or information available, or of all facts known to me relative to this investigation. Rather, I have included facts which are necessary to establish probable cause that the parcel described herein contains controlled substances. This affidavit is made in support of an application for a search warrant to search and seize

contraband, fruits, instrumentalities and evidence of crimes against the United States in violation of 21 U.S.C. § 841(a)(1) from a USPS Priority Mail 2-Day parcel originating in the city of Bakersfield, CA. It is more specifically described as a sealed USPS Priority Mail 2-Day parcel measuring approximately 11.25" X 8.75" X 6" identified by tracking number **9505 5143 5013 2131 2821 03** (herein referred to as "**subject parcel**"), from Zip Code 93307, weighing approximately 2 pounds, 3.9 ounces and postmarked May 11, 2022. The parcel's return address is "3501 Eucalyptus Dr Bakersfield, CA 93306" and is addressed to "Samuel Perez 116 North Delaware Ave Tulsa, Oklahoma 74110". The parcel is currently located at the USPIS Tulsa Domicile (Northern District of Oklahoma).

4. I am aware through training, as well as information from other Postal Inspectors with extensive experience in drug trafficking investigations the United States Mail is a common and preferred method for drug traffickers to ship their product. United States Express Mail and Priority Mail are frequently used by drug dealers for not only shipping illegal drugs, but also for shipping the proceeds and money from illegal drug sales and purchases. Use of the United States Mail is favored because of the speed, reliability, and low cost of this service, as well as the perceived minimal chance of detection of illegal drugs, money, or financial instruments shipped in such a manner.

5. I am also aware that drug traffickers often use fictitious return addresses and names on return addresses, as well as real names and real addresses, with or without the actual person's knowledge or consent, to avoid detection in the event the parcel is intercepted by law enforcement officers. Parcels containing controlled substances often provide minimal information on the mailing label to avoid detection of a fictitious name or return address. Traffickers normally use heavy tape on the seams and corners of a parcel and have been known to use sealed containers and masking scents, to interfere with any drug detection canine's ability to detect the narcotics. It is common for traffickers to mail parcels from a different post office than the one located in the Zip Code area used on the return address, also to avoid detection of fictitious information.

Probable Cause

6. On or about May 17, 2022, your affiant was contacted by USPS OIG SA Micah Maulden concerning information he had received regarding the **subject parcel**. SA Maulden advised your affiant the subject parcel was located at the Northside Post Office (626 E Apache St Tulsa, OK 74106) and was being held at the post office at the request of the customer, according to postal business records.

7. In the evening of May 17, 2022, your affiant was able to retrieve the **subject parcel** from Northside Post Office and hold it for further investigation.

8. Your affiant researched the **subject parcel's** return address of 3501 Eucalyptus Dr Bakersfield, CA 93306 and found it to be a valid return address. However, the address appears to belong to a lot holding large fuel tanks according to Google Maps. Additionally, there is no individual or business entity associated with the return address according to the database CLEAR.

9. Your affiant researched the **subject parcel's** destination address of 116 North Delaware Ave Tulsa, Oklahoma 74110 and found it to be a valid address. However, the name, "Samuel Perez", was not found to be associated with the destination address according to records in the database CLEAR.

10. On the morning of May 18, 2022, your affiant contacted TPD Narcotics Sergeant Mike Griffin and his narcotics K-9, "Jake." The **subject parcel** was placed amongst four control parcels on the workroom floor of the USPS Downtown Station, 333 West 4th Street, Tulsa, OK 74101. Sgt. Griffin ran Jake over the control parcels and the **subject parcel** and advised your affiant that Jake alerted on the **subject parcel**. In December of 2012, Sgt. Griffin assumed the responsibility of a narcotics detector dog (K-9) "Jake". Sgt. Griffin's responsibilities consist of the care, maintenance, training, documentation, and handling of Jake. Jake is a Belgian Malinois born in October of 2011 and is used for the sole purpose of narcotics detection. Jake has been in service as a certified police narcotics detection K-9 since

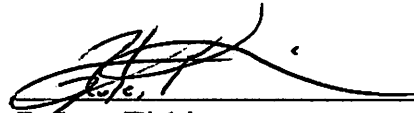
December 26, 2012, and was re-certified on November 19, 2013, October 30, 2014, October 15, 2015, October 5, 2016, September 28, 2017, September 11, 2018, September 11, 2019, and September 2, 2020. Jake's Oklahoma State certification number is K9-13-2604. Jake is trained and certified to alert to the odor of the following controlled dangerous substances: marijuana, heroin, cocaine, and methamphetamine. Jake's certification was administered by a State of Oklahoma CLEET Drug Dog Evaluator, certifying to the State of Oklahoma's Canine Team standard. Sgt. Griffin continues to work on a regular basis with his K-9, consistently and systematically verifying his K-9's abilities to detect controlled dangerous substances. Sgt. Griffin advised that based on Jake's alert, he believes that the **subject parcel** contains illegal drugs, in violation of federal law.

11. In addition to the aforementioned information, your affiant knows the subject parcel to be related through postal business records to another Priority Mail parcel originating in Bakersfield, California and destined to 1918 E Marshall Pl. Tulsa, OK 74110. This Priority Mail parcel, which bore tracking number 9505 5130 1492 2122 4281 60, was opened on May 5, 2022, subsequent to a previously obtained search warrant and found to contain approximately 535.81 grams of a white, crystal-like substance consistent with and field-tested positive for methamphetamine.

Conclusion

12. Based on the foregoing, I believe there is evidence to show the **subject parcel** as described in paragraph three, was sent via the USPS in violation of 21 U.S.C. § 841(a)(1) and respectfully request a warrant be issued authorizing the USPIS to search and seize the mailing package as well as any controlled substances or items of dominion or control inside the package.

Respectfully Submitted,

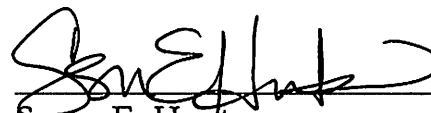


Robert Firkin

Inspector

United States Postal Inspection Service

Sworn and subscribed to before me this 18th day of May, 2022.



Susan E. Huntsman

United States Magistrate Judge

Northern District of Oklahoma

ATTACHMENT "A"

SUBJECT PARCEL: a sealed USPS Priority Mail 2-Day parcel measuring approximately 11.25" X 8.75" X 6" identified by tracking number 9505 5143 5013 2131 2821 03 from Zip Code 93307, weighing approximately 2 pounds, 3.9 ounces and postmarked May 11, 2022. The parcel's return address is "3501 Eucalyptus Dr Bakersfield, CA 93306" and is addressed to "Samuel Perez 116 North Delaware Ave Tulsa, Oklahoma 74110"

ATTACHMENT "B"

Any controlled substances and evidence constituting ownership and intent to possess controlled substances and possess controlled substances with intent to distribute under Title 21, United States Code, Section 841.